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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,678	06/25/2003	Michio Seki	04329.3081	1969
22852 7590 10/09/2007 FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413				
			EXAMINER NGUYEN, DUSTIN	
			ART UNIT 2154	PAPER NUMBER
			MAIL DATE 10/09/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/602,678	Applicant(s) SEKI ET AL.	
	Examiner Dustin Nguyen	Art Unit 2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 August 2007.
 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8,9 and 14-16 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 8,9 and 14-16 is/are rejected.
 7) ☐ Claim(s) _____ is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>04/18/2005, 08/01/2007</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 8, 9 and 14-16 are presented for examination.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08/01/2007 has been entered.

Response to Arguments

3. Applicant's arguments filed 08/01/2007 have been fully considered but they are not persuasive.
4. As per remarks, Applicants' argued that (1) Nishikawa fails to disclose or suggest "a server apparatus comprising: a network process unit ... and an AV function unit ...".
5. As to point (1), Nishikawa discloses an AV system server 22 including communication unit 50 for connecting controller 42 or mobile terminal 40 to TV 26 or VCR 28 [i.e. a server

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apparatus comprising a network process unit] [Figures 1 and 2; and paragraphs 0034, 0051, and 0054]. In addition, Nishikawa discloses the AV system server 22 including an appliance selector for selecting appliance and an AV system control table 100 describing the function inside the AV system network 20 for controlling appliance [i.e. AV function unit configured to process video and sound data] [Figures 2 and 3; and paragraphs 0034, 0040-0044; and 0051].

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 8, 9 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishikawa et al. [US Patent Application No 2002/0062392], in view of Seong [US Patent No 6,785,720].

8. As per claim 8, Nishikawa discloses the invention as claimed including a server apparatus [i.e. AV system network] [20, Figure 1; and paragraphs 0029 and 0030] comprising:

a network process unit configured to connect an electronic apparatus [i.e. communication controller] [50, Figure 2; and paragraph 0034], which transmits/receives data via a first network, to a second network through the server apparatus [i.e. backbone system network and AV system network] [12, 24, Figure 1; and paragraphs 0039 and 0054]; and

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an AV function unit configured to process video data and sound data [i.e. TV, VCR] [26, 28, Figure 1; and paragraphs 0030 and 0031].

Nishikawa does not specifically disclose

the network process unit switching a control unit configured to change an operation of the AV function unit functional module between a status normal operation mode and a standby mode serving to reduce power consumption, when the network process unit receives, from the electronic apparatus, a communication packet containing a command requesting that the operation of the AV function unit be changed.

Seong discloses

the network process unit switching a control unit configured to change an operation of the AV function unit functional module between a status normal operation mode and a standby mode serving to reduce power consumption, when the network process unit receives, from the electronic apparatus [i.e. power toggle between on and off] [Figures 6 and 7; and col 4, lines 57-col 5, lines 5], a communication packet containing a command requesting that the operation of the AV function unit be changed [i.e. A/V control command] [col 1, lines 39-45; col 1, lines 61-col 2, lines 10; and col 2, lines 42-61].

It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Nishikawa and Seong because the teaching of Seong would provide a convenient method for user to contact the server devices through a web browser [Seong, col 2, lines 51-61].

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9. As per claim 9, Nishikawa does not specifically disclose wherein, upon switching of operation of the AV function unit, the network process unit notifies the electronic apparatus that the operation of the AV function unit has been switched. Seong discloses wherein, upon switching of operation of the AV function unit, the network process unit notifies the electronic apparatus that the operation of the AV function unit has been switched [i.e. the screen shown is in the Power On state by pressing the Power button] [Figures 6 and 7; and col 4, lines 65-col 5, lines 5]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Nishikawa and Seong because the teaching of Seong would provide a convenient method for user to contact the server devices through a web browser [Seong, col 2, lines 51-61].

10. As per claim 14, it is rejected for similar reasons as stated above in claim 1. Furthermore, Nishikawa does not specifically disclose the network process unit including a detecting unit configured to detect a power supply control packet in communication packets sent from the electronic apparatus. Seong discloses the network process unit including a detecting unit configured to detect a power supply control packet in communication packets sent from the electronic apparatus [i.e. packet reception] [col 1, lines 32-46]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Nishikawa and Seong because the teaching of Seong would provide a convenient method for user to contact the server devices through a web browser [Seong, col 2, lines 51-61].

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11. Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishikawa et al. [US Patent Application No 2002/0062392], in view of Seong [US Patent No 6,785,720], and further in view of Maeda et al. [US Patent Application No 2002/0026532].

12. As per claim 15, Nishikawa and Seong do not specifically disclose an embedded controller configured to control power supply to the AV function unit for interrupting the power supply; and an up/down signal line which is arranged between the network process unit and the embedded controller, the controlling unit of the network process unit outputting an up/down signal providing an instruction to supply power to the AV function unit or to interrupt the power supply on the up/down signal line. Maeda discloses an embedded controller configured to control power supply to the AV function unit for interrupting the power supply; and an up/down signal line which is arranged between the network process unit and the embedded controller, the controlling unit of the network process unit outputting an up/down signal providing an instruction to supply power to the AV function unit or to interrupt the power supply on the up/down signal line [i.e. power feeder for supply power to the network-adapted appliance] [Figures 1 and 2a; and paragraphs 0049, 0050, 0058]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Nishikawa, Seong and Maeda because the teaching of Maeda would provide an indoor communication network system so designed to be excellent in power saving effect and facilitate the use or the operation of network-adapted appliances connected indoor communication network system [Maeda, paragraphs 0002 and 0013].

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13. As per claim 16, Nishikawa and Seong do not specifically disclose a status signal line which is arranged between the network process unit and the embedded controller, the embedded controller being configured to output a status signal indicating a status of the AV function unit on the status signal line. Maeda discloses a status signal line which is arranged between the network process unit and the embedded controller, the embedded controller being configured to output a status signal indicating a status of the AV function unit on the status signal line [i.e. display screen] [Figure 7; and paragraphs 0070, 0071 and 0079]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Nishikawa, Seong and Maeda because the teaching of Maeda would provide an indoor communication network system so designed to be excellent in power saving effect and facilitate the use or the operation of network-adapted appliances connected indoor communication network system [Maeda, paragraphs 0002 and 0013].

14. A shortened statutory period for response to this action is set to expire **3 (three) months and 0 (zero) days** from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the application (see 35 U.S.C 133, M.P.E.P 710.02, 710.02(b)).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dustin Nguyen whose telephone number is (571) 272-3971. The examiner can normally be reached on flex.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached at (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dustin Nguyen

Examiner

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A handwritten signature in black ink, appearing to read 'Dustin', is written over the printed name and title.